
SECOND SUBSTITUTE HOUSE BILL 2082

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Chandler, Wallace, Grant, Buri, Miloscia, Kretz and Newhouse)

READ FIRST TIME 03/12/07.

1 AN ACT Relating to establishing the field of dreams program;
2 amending RCW 28B.95.060; reenacting and amending RCW 43.79A.040; adding
3 a new section to chapter 28B.95 RCW; adding a new chapter to Title 28B
4 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The field of dreams program is established.
7 The legislature finds that agriculture is a major and critical employer
8 in Washington state and recognizes that the industry is struggling to
9 attract and retain employees. The purpose of the program is to provide
10 college tuition in the form of GET units to students working for
11 agricultural employers to benefit the agriculture industry and to
12 assist students in accessing postsecondary education. The program
13 shall be administered by the employment security department and the GET
14 units shall be administered by the higher education coordinating board.

15 NEW SECTION. **Sec. 2.** The definitions in this section apply
16 throughout this chapter unless the context clearly requires otherwise.

17 (1) "Board" means the higher education coordinating board.

18 (2) "Department" means the employment security department.

1 (3) "GET units" means tuition units under the advanced college
2 tuition payment program in chapter 28B.95 RCW.

3 (4) "Institution of higher education" has the same meaning as in
4 RCW 28B.92.030.

5 (5) "Qualified employer" means an employer whose American industry
6 classification system (NAICS) code is within "111" or "112."

7 (6) "WorkSource" means one-stop delivery system as described in
8 P.L. 105-220, Section 134.

9 NEW SECTION. **Sec. 3.** (1) To be eligible for the field of dreams
10 GET units, a student must be enrolled in the field of dreams program.
11 To enroll, a student must:

12 (a) Meet the criteria for resident tuition and fee rates as defined
13 in RCW 28B.15.012;

14 (b) Be sixteen through twenty-one years of age;

15 (c) Register at WorkSource;

16 (d) Work for a qualified employer in an agricultural job; and

17 (e) Be enrolled in high school, have graduated from high school, or
18 hold a general equivalency diploma.

19 (2) To accrue GET units, a student shall:

20 (a) Register with WorkSource each time he or she accepts employment
21 with an agricultural employer under the field of dreams program to
22 verify that the employment meets the qualifications of this program and
23 that work hours are being counted;

24 (b) Work in a position at a qualified employer; and

25 (c) Consent to the disclosure of information or records deemed
26 private and confidential under chapter 50.13 RCW. Disclosure of this
27 information and these records by the department to the board shall be
28 solely for purposes related to the administration of this chapter.
29 Information obtained from employer records under this chapter is
30 confidential and not open to public inspection, other than to public
31 employees in the performance of their official duties.

32 (3) For each three hundred fifty hours worked for a qualified
33 employer, a student shall earn ten GET units. GET units are not
34 available in denominations fewer than ten. No partial credit shall be
35 awarded for less than three hundred fifty hours of employment.

36 (4) Students may earn a maximum of one hundred GET units.

37 (5) To receive GET units a student shall:

1 (a) Obtain a certificate verifying units earned from the WorkSource
2 office; and

3 (b) Enter an institution of higher education that is accredited by
4 an accrediting agency recognized by rule of the higher education
5 coordinating board.

6 (6) GET units awarded through the field of dreams program may only
7 be used for payment of qualified higher education expenses as detailed
8 by the GET program.

9 NEW SECTION. **Sec. 4.** (1) The department is responsible for
10 administering the field of dreams program. In this capacity, the
11 department shall:

12 (a) Inform WorkSource applicants about the program;

13 (b) Manage student enrollment in the program, subject to funds
14 appropriated for the specific purpose of the field of dreams program;

15 (c) Track student hours worked through the unemployment insurance
16 system;

17 (d) Refer interested students to qualified employers;

18 (e) Provide verification of covered employment under Title 50 RCW
19 and verify that the student is working for a qualified employer;

20 (f) Work with the board to develop appropriate procedures for the
21 redemption of certificates for GET units awarded by the program; and

22 (g) Use information sharing and integration technology to
23 facilitate the disclosure of relevant information and records by the
24 employment security department, so long as an individual consents to
25 the disclosure as required under section 3(2) of this act.

26 (2) Information contained in the files and records pertaining to an
27 individual under this chapter are confidential and not open to public
28 inspection, other than to public employees in the performance of their
29 official duties. However, an individual or an authorized
30 representative of the individual may review his or her records or
31 receive specific information from the records on the presentation of
32 the signed authorization of the individual.

33 NEW SECTION. **Sec. 5.** The board shall administer GET units earned
34 through the field of dreams program. In this capacity, the board
35 shall:

1 (1) Purchase GET units to be owned and held in trust by the board,
2 for the purpose of field of dreams awards as provided for in this
3 section;

4 (2) Distribute award funds, in the form of GET units, to
5 institutions of higher education on behalf of eligible recipients
6 identified by the program administrator beginning on July 1, 2010;

7 (3) Work with the department to develop appropriate procedures for
8 the redemption of certificates for GET units;

9 (4) Provide annual reports to the appropriate higher education and
10 fiscal committees of the house of representatives and the senate
11 regarding use of GET units, enrollment, and graduation information of
12 GET field of dreams recipients, if the recipients have given permission
13 for the board to do so; and

14 (5) Submit a report, developed jointly with the department, to the
15 appropriate higher education and fiscal committees of the house of
16 representatives and the senate by December 1, 2010, that describes the
17 utilization of the program. The report shall include, but is not
18 limited to, the demographic and income distribution of the student
19 participants.

20 NEW SECTION. **Sec. 6.** (1) The GET field of dreams account is
21 created in the custody of the state treasurer.

22 (2) The board shall deposit into the account all money received for
23 the GET field of dreams account from appropriations and private
24 sources. The account shall be self-sustaining.

25 (3) Expenditures from the account shall be used for purchases of
26 GET units. Purchased GET units shall be owned and held in trust by the
27 board.

28 (4) With the exception of the operating costs associated with the
29 management of the account by the treasurer's office as authorized in
30 chapter 43.79A RCW, the account shall be credited with all investment
31 income earned by the account.

32 (5) Disbursements from the account are exempt from appropriations
33 and the allotment provisions of chapter 43.88 RCW.

34 (6) Disbursements from the account shall be made only on the
35 authorization of the board.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 28B.95 RCW
2 to read as follows:

3 Ownership of tuition units purchased by the higher education
4 coordinating board for the GET field of dreams program under section 5
5 of this act shall be in the name of the state of Washington and may be
6 redeemed by the state of Washington on behalf of recipients of GET
7 field of dreams awards for tuition and fees.

8 **Sec. 8.** RCW 28B.95.060 and 2000 c 14 s 5 are each amended to read
9 as follows:

10 (1) The Washington advanced college tuition payment program account
11 is created in the custody of the state treasurer. The account shall be
12 a discrete nontreasury account retaining its interest earnings in
13 accordance with RCW 43.79A.040.

14 (2)(a) Except as provided in (b) of this subsection, the governing
15 body shall deposit in the account all money received for the program.
16 The account shall be self-sustaining and consist of payments received
17 from purchasers of tuition units and funds received from other sources,
18 public or private. With the exception of investment and operating
19 costs associated with the investment of money by the investment board
20 paid under RCW 43.33A.160 and 43.84.160, the account shall be credited
21 with all investment income earned by the account. Disbursements from
22 the account are exempt from appropriations and the allotment provisions
23 of chapter 43.88 RCW. Money used for program administration is subject
24 to the allotment of all expenditures. However, an appropriation is not
25 required for such expenditures. Program administration shall include,
26 but not be limited to: The salaries and expenses of the program
27 personnel including lease payments, travel, and goods and services
28 necessary for program operation; contracts for program promotion and
29 advertisement, audits, and account management; and other general costs
30 of conducting the business of the program.

31 (b) All money received by the program from the higher education
32 coordinating board for the GET field of dreams program shall be
33 deposited in the GET field of dreams account created in section 6 of
34 this act.

35 (3) The assets of the account may be spent without appropriation
36 for the purpose of making payments to institutions of higher education
37 on behalf of the qualified beneficiaries, making refunds, transfers, or

1 direct payments upon the termination of the Washington advanced college
2 tuition payment program. Disbursements from the account shall be made
3 only on the authorization of the governing body.

4 (4) With regard to the assets of the account, the state acts in a
5 fiduciary, not ownership, capacity. Therefore the assets of the
6 program are not considered state money, common cash, or revenue to the
7 state.

8 **Sec. 9.** RCW 43.79A.040 and 2006 c 311 s 21 and 2006 c 120 s 2 are
9 each reenacted and amended to read as follows:

10 (1) Money in the treasurer's trust fund may be deposited, invested,
11 and reinvested by the state treasurer in accordance with RCW 43.84.080
12 in the same manner and to the same extent as if the money were in the
13 state treasury.

14 (2) All income received from investment of the treasurer's trust
15 fund shall be set aside in an account in the treasury trust fund to be
16 known as the investment income account.

17 (3) The investment income account may be utilized for the payment
18 of purchased banking services on behalf of treasurer's trust funds
19 including, but not limited to, depository, safekeeping, and
20 disbursement functions for the state treasurer or affected state
21 agencies. The investment income account is subject in all respects to
22 chapter 43.88 RCW, but no appropriation is required for payments to
23 financial institutions. Payments shall occur prior to distribution of
24 earnings set forth in subsection (4) of this section.

25 (4)(a) Monthly, the state treasurer shall distribute the earnings
26 credited to the investment income account to the state general fund
27 except under (b) and (c) of this subsection.

28 (b) The following accounts and funds shall receive their
29 proportionate share of earnings based upon each account's or fund's
30 average daily balance for the period: The Washington promise
31 scholarship account, the college savings program account, the
32 Washington advanced college tuition payment program account, the
33 agricultural local fund, the American Indian scholarship endowment
34 fund, the foster care scholarship endowment fund, the foster care
35 endowed scholarship trust fund, the students with dependents grant
36 account, the basic health plan self-insurance reserve account, the
37 contract harvesting revolving account, the Washington state combined

1 fund drive account, the commemorative works account, the Washington
2 international exchange scholarship endowment fund, the developmental
3 disabilities endowment trust fund, the energy account, the fair fund,
4 the fruit and vegetable inspection account, the future teachers
5 conditional scholarship account, the GET field of dreams account, the
6 game farm alternative account, the grain inspection revolving fund, the
7 juvenile accountability incentive account, the law enforcement
8 officers' and fire fighters' plan 2 expense fund, the local tourism
9 promotion account, the produce railcar pool account, the regional
10 transportation investment district account, the rural rehabilitation
11 account, the stadium and exhibition center account, the youth athletic
12 facility account, the self-insurance revolving fund, the sulfur dioxide
13 abatement account, the children's trust fund, the Washington horse
14 racing commission Washington bred owners' bonus fund account, the
15 Washington horse racing commission class C purse fund account, the
16 individual development account program account, the Washington horse
17 racing commission operating account (earnings from the Washington horse
18 racing commission operating account must be credited to the Washington
19 horse racing commission class C purse fund account), the life sciences
20 discovery fund, and the reading achievement account. However, the
21 earnings to be distributed shall first be reduced by the allocation to
22 the state treasurer's service fund pursuant to RCW 43.08.190.

23 (c) The following accounts and funds shall receive eighty percent
24 of their proportionate share of earnings based upon each account's or
25 fund's average daily balance for the period: The advanced right of way
26 revolving fund, the advanced environmental mitigation revolving
27 account, the city and county advance right-of-way revolving fund, the
28 federal narcotics asset forfeitures account, the high occupancy vehicle
29 account, the local rail service assistance account, and the
30 miscellaneous transportation programs account.

31 (5) In conformance with Article II, section 37 of the state
32 Constitution, no trust accounts or funds shall be allocated earnings
33 without the specific affirmative directive of this section.

34 NEW SECTION. **Sec. 10.** Sections 1 through 6 of this act constitute
35 a new chapter in Title 28B RCW.

1 NEW SECTION. **Sec. 11.** If specific funding for the purposes of
2 this act, referencing this act by bill or chapter number, is not
3 provided by June 30, 2007, in the omnibus appropriations act, this act
4 is null and void.

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